

**14.1.19. Temporary Suspension of Treaty Privileges by Fisheries Director.** (a) The Fisheries Director has the authority to temporarily suspend treaty fishing and hunting privileges, upon the recommendation of the Fish and Wildlife Committee for good cause.

(b) For the purposes of this section, good cause will include but is not limited to:

(1) More than two (2) fishing or hunting related violations within six (6) months;

(2) Conviction of a Class A offense or felony under the Suquamish Tribal Code, or a felony under the United States Criminal Code or the criminal code of any state of the United States;

(3) Charges brought by the Suquamish Indian Tribe for assault on an enforcement officer, police officer, or tribal staff member;

(4) More than four (4) missed payments resulting in default of the Suquamish Indian Tribe's Commercial Fishing Revolving Loan;

(5) Charges for wasteful practices under §14.1.38;

(6) Any set of actions that the Fisheries Manager, fisheries patrol, and/or the Fish and Wildlife Committee determines jeopardizes or might jeopardize the Tribe's ability or opportunity to responsibly manage and harvest fisheries resources.

(c) Temporary suspension by the Fisheries Director will last no longer than one (1) year from the day of suspension.

(d) Prior to suspension, the Fisheries Director will provide written notice to the fisher by certified mail of a hearing, set at least thirty-five (35) days from the mailing of the letter, to consider temporary suspension of the fisher's treaty rights and provide the fisher an opportunity to be heard by the Fisheries Director and Fish and Wildlife Committee.

(e) At the hearing, the Fisheries Director will present the good cause reasoning for the temporary suspension, including any evidence, to the fisher and the Fish and Wildlife Committee. The fisher will have a full and fair opportunity to present the fisher's position.

(f) The Fisheries Director will inform the fisher of the Fisheries Director's decision within twenty-four (24) hours by telephone and in writing by certified mail. The Fisheries Director will send a copy of the written decision to the Tribal Council and to the Office of Tribal Attorney.

(g) The fisher may appeal the Fisheries Director's decision to the Tribe's Administrative Law Judge [within twenty \(20\) days of the date of the decision](#). The Administrative Law Judge will review the Fisheries Director's decision. (Res. 2025-146, passed Jun. 25, 2025; [amended by Res. 2026-126, passed DATE](#))

**14.1.20. Suspension of Treaty Privileges by Tribal Council.** (a) The Suquamish Tribal Council has the authority to recommend the suspension of any fisher's exercise of treaty fishing and hunting privileges upon the recommendation of the Fisheries Director and the Fish and Wildlife Committee for good cause for any period of time, including indefinitely, as follows:

(b) For the purposes of this section, good cause will include but is not limited to:

(1) More than two (2) fishing or hunting related criminal convictions within four (4) years;

(2) Conviction of a Class A offense or a felony under the Suquamish Tribal Code, or a felony under the United States Criminal Code or the criminal code of any state of the United States;

(3) Two (2) or more temporary suspensions by the Fisheries Director within the previous five (5) years;

(4) Conviction for assault on an enforcement officer, police officer, or tribal staff member;

(5) Two (2) or more charges for wasteful practices under §14.1.37 within the previous ten (10) years.

(c) The Tribal Council will authorize, by resolution, the tribal prosecutor or other attorney for the Tribe to petition the Suquamish Tribal Court for a hearing on the suspension of a fisher's treaty rights. The petition will be filed within ten (10) business days of the date the Tribal Council resolution was passed. The hearing date and time will be set for a date and time not less than five (5) days from the date the petition is filed.

(d) The Tribe will serve the petition and summons for the hearing with a copy of the Council resolution on the fisher by one or more of the following means, and proof of service will be made by affidavit or in any manner permitted in other civil proceedings:

(1) Personal service;

(2) Registered or certified mail;

(3) Delivery to a person of suitable age and discretion at the fisher's usual living place or place of employment;

(4) Posting on the exterior of a dwelling known to be frequented by the fisher, but only if that fisher's presence at the location is supported by a sworn witness declaration; or

(5) Publication at least one (1) time in any newspaper of general circulation on or adjacent to the Port Madison Reservation, or in a newspaper of general circulation in the town closest to where the fisher was last known to reside.

(e) A hearing on the suspension of treaty rights will be held within twenty (20) days of service of the petition and summons upon the fisher. Such hearings will take precedence over all other matters, except requests for temporary restraining orders or other matters that must be heard immediately to prevent the expiration of a time period for judicial action established by tribal law.

(1) A respondent to a hearing on suspension of treaty rights has no right to a jury trial.

(2) At the hearing, the Tribe will present the case for the suspension of treaty rights, including any evidence. The respondent will have a full and fair opportunity to present the respondent's position.

(3) If the respondent does not appear at the hearing despite being served with proper notice, or if at the hearing the judge finds by a preponderance of the evidence that cause does exist to suspend the respondent's treaty rights, the Court will issue an order specifying that the respondent's treaty rights have been suspended and the length of time of the suspension. The order will remain in effect for the period of time specified in the order, or until the Court vacates, revokes, or modifies the order.

(f) If the respondent does not appear at the hearing, the Court will serve its decision on the respondent in accordance with the notice requirements in §14.1.20(d).

(g) The fisher may appeal the Court's order to the Suquamish Tribal Court of Appeals within twenty (20) days of the date of the order. Unless otherwise ordered by a judge of the Suquamish Tribal Court, an order suspending treaty rights will not be stayed pending appeal. (Res. 2025-146, passed Jun. 25, 2025; amended by Res. 2026-126, passed DATE)